

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert Falotico, et al.

Serial No.: 10/742,346

Art Unit: 1615

Filed

: December 19, 2003

Examiner: Carlos Azpuru

For:

LOCAL VASCULAR DELIVERY OF TRICHOSTATIN A ALONE OR IN

COMBINATION WITH SIROLIMUS TO PREVENT RESTENOSIS FOLLOWING

VASCULAR INJURY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 20, 2005
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Carl J. Evens
(Name of applicant, assignee, or Registered Representative)

/Carl J. Evens/

(Signature)

May 20, 2005

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

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Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

 \boxtimes In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with | the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information

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Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
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1449 are enclosed herewith EXCEPT THAT:
In view of the voluminous nature of references [list as appropriate], and the likelihood that
these references are available to the Examiner,
copies are not enclosed herewith.
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☐ If any of the foregoing publications are not
available to the Examiner, Applicant will
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○ Copies of only foreign patent documents and non-
patent literature are enclosed in accordance with 37 CFR 1.98
(a) (2).

There are no listed references which are not in the
English language.
The relevance of those listed references which are not in the English language is as follows:
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.
Attached are the following non-published pending patent applications which may be deemed relevant, which are
listed on the attached Submission Under MPEP 609 D.
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD5062USANP/CJE. This form is submitted in triplicate.
Respectfully submitted,
/Carl J. Evens/
Carl J. Evens Reg. No. 33,874 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2518 DATED: May 20, 2005

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031

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(use as many sheets as necessary) Sheet 1 of 2

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Application Number	10/742,346
Filing Date	December 19, 2003
First Named Inventor	Robert Falotico
Group Art Unit	1615
Examiner Name	Carlos Azpuru
Attorney Docket Number	CRD5062USANP

U.S. PATENT DOCUMENTS

		U.S. Patent Docume	nt				
Examiner Initials	Cite No. ¹	Number	Kind Code ² (if known)	Name of Patentee of of Cited Docu		Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		2004/072849	A1 -	Schreiber et al.		04-15-2004	
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FOREIGN PATENT DOCUMENTS

		Foreign Patent Document			Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant	_
Examiner Initials	Cite No.1	Office ³	ffice ³ Number ⁴ KindCode ⁵		Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T ⁶
		EP	1362602	Α	Cordis Corporation	11-19-2003	·	
		wo	04/009771	Α	Advanced Stent Technologies, Inc.	01-29-2004		
		wo	04/098495	A	The Trustees of Columbia University in the City of New York	11-18-2004		
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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		SKALETZ-ROROWSKI et al., "The Histone Deacetylase Inhibitors, Tichostatin A and The New Synthetic Inhibitor M232, Suppress the Proliferation of Coronary Smooth Muscle Cells", European Heart Journal, The European Society of Cardiology, XX, Vol 21, no. Abstract Suppl, August 2000, page 272, XP008005095 ISSN: 0195-668X abstract	
		OKAMOTO HIROSHI et al., "Histone Deacetylase Inhibitor (Trichostatin A) Inhibits Vascular Smooth Muscle Cells Proliferation Via Upregulation of Cyclin Dependent Kinase Inhibitor P21waf1". 5 November 2002, Circulation Vol. 106, NR. 19 Supplement, pages II-18, Abstracts from Scientific Sessions; Chicago, IL, USA, November 17-20, 2002 XP009045806 ISSN:0009-7322 abstract	
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SUBMISSION UNDER MPEP 609 D

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First Named Inventor Robert Falotico
Group Art Unit 1615
Examiner Name Carlos Azpuru
Attorney Docket Number CRD5062USANP

Page 1 of 1

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FOREIGN PATENT DOCUMENTS

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Cite	Name of Patentee or Applicant of Cited Document	Poreign Pa	Number ⁴	KindCode ⁵	Pages, Columns, Lines, where relevant passages or relevant figures appear	Τ ⁶
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	European Search Report EP 04 25 784	2 dated Marc	h 31, 2005			
						
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